REMARKS

Claims 1-39 are pending in this application. Claims 1-33 are rejected under 35 U.S.C. § 102(e) as being clearly anticipated by U.S. Patent Application Publication No. 2004/0122550 ("Klimko"). Claims 1, 6, 7, 14, 17, 18, 21, 26 and 27 have been cancelled. Claims 34-39 have been added. Claims 2, 4, 5, 8-11, 15, 16, 19, 20, 22, 24-25, 28, 29, 30, and 31 have been amended. No new matter has been added. Applicant respectfully traverses the rejections and requests reconsideration in view of the amendments and the following remarks.

§ 102 Rejections

The Examiner rejected claims 1-33 under 35 U.S.C. § 102(e) as being anticipated by Klimko.

Claims 1-10 and 34-35

Claim 1 has been canceled and replaced by new claim 34. Claim 6 has been cancelled and replaced by new claim 35. Claims 2-5 and 8-10 originally depended from claim 1, and have been amended to depend from new claim 34. Claim 35 depends from claim 34. Claim 34 recites a method to represent a weld bead in a computer environment. The method includes the steps of selecting one or more edges of one or more components of an article of manufacture to be welded; generating a data representation of a wire body for each of the one or more selected edges; and generating a data representation of a final wire body based on the one or more data representations of a wire body for each of the one or more selected edges.

Klimko describes a computer system for automatically determining a series of steps to be performed in a welding operation for a specified weld (¶¶ 5-6). To accomplish this, Klimko provides a computer system with a database that includes information about parts to be welded together, weld processes, weld types, and welding operators (¶ 32). A graphical user interface allows a user to establish a set of weld parameters as a function of a desired weld and the weld information stored in a database (¶ 35).

The Examiner indicates that Klimko teaches a computer program for modeling and generating weld and weld data sets from sets of wire bodies. In support of this assertion, the Examiner points to paragraph 63. Applicant respectfully submits that Klimko does not disclose generating a data representation of a wire body for one or more selected edges of one or more components to be welded, as required by claim 34. Klimko discloses providing a processing unit that includes images of parts to be welded (¶ 41). The image is not a wire body nor a data representation of a wire body. Klimko does not disclose or suggest generating data representations of wire bodies of edges of components as required by claim 34. Nor does Klimko disclose generating a data representation of a final wire body based on the one or more data representations of a wire body for each of the one or more selected edges as required by claim 34. Paragraph 63, cited by the Examiner, does not refer to data representations of wire bodies, but rather to a particular type of wire solder used in welding. Klimko states, "...the weld process could include a solid wire weld process using a 1.3mm diameter wire with and Argon shielding gas mix..." (¶ 63). Klimko is not referring to a data representation of wire body, but rather, refers to wire solder used in welding.

Applicant respectfully submits that claim 34 is allowable over Klimko. Since claims 2-5, 8-10 and 35 depend, either directly or indirectly from claim 34, Applicant submits that these claims are allowable for at least the same reasons set forth above.

Claims 11-13

Claim 11 recites a method of operation in a computing environment. The method includes the step of selecting within the computing environment, an edge of a weld bead. The weld bead has a representation formed based on one or more data representations of one or more edges or one or more components of an article of manufacture to be welded using the weld bead at the one or more edges. The method further includes retrieving from a source within the computing environment, one or more identifications identifying both the one or more edges of the one or more components. Additionally, the method includes forming within the computing environment, a name attribute based at least in part on the retrieved one or more identifications.

and assigning within the computing environment, the name attribute to the selected edge of the weld bead.

The Examiner indicated generally that the limitations of claim 11 are disclosed by Klimko. Applicant respectfully disagrees. Applicant notes that Klimko does not disclose or suggest selecting an edge of a weld bead as required by claim 11. Rather, Klimko discloses selecting an area to be welded (¶ 38, Fig. 8) presumably by highlighting an image of a first and a second part (¶ 41, Fig. 8), or drawing a line on a graphical representation of a part (Fig. 9, ¶ 48), then associating the weld with a set of weld parameters that are input into a database (¶ 50). Klimko does not disclose or suggest selecting an edge of a weld bead as required by claim 11.

Moreover, Applicant submits that Klimko does not disclose or suggest forming a name attribute based on the retrieved one or more identifications or assigning the name attribute to the selected edge of the weld bead as required by claim 11. Klimko may disclose graphically selecting a desired weld, and based on the selection, providing a system that determines information related to the two parts to be welded (¶ 49). However, Klimko does not disclose or suggest either forming a naming attribute based on a retrieval of information about the two parts or assigning the name attribute to a selected edge of a weld bead. Accordingly, Applicant respectfully submits that Claim 11 is allowable over Klimko.

Claims 12-13 depend either directly or indirectly from claim 11, and are therefore allowable for at least the reasons set forth above.

Claims 14-20 and 36 and 37

Claim 14 has been cancelled and replaced by new claim 36. Claim 17 has been cancelled and replaced by new claim 37. Claims 15-16 and 19-20 originally depended from claim 14, and have been amended to depend from claim 36. Claim 37 depends from claim 36.

Claim 36 recites a machine readable article. The machine readable article includes a machine readable storage medium; and a plurality of machine executable instructions stored in the machine readable storage medium. The instructions are designed to enable an apparatus to select one or more edges of one or more components of an article of manufacture to be welded; generate a data representation of a wire body for each of the one or more selected edges; and

generate a data representation of a final wire body based on the data representations of a wire
body for each of the one or more selected edges.

The Examiner indicated that the original claim 14, which has been replaced by claim 36,
is anticipated by Klimko. Applicant respectfully disagrees. For the reasons set forth above with
respect to claim 34, Applicant submits that Klimko does not disclose or suggest generating a data
representation of a wire body for each of the one or more selected edges; or generating a data
representation of a final wire body based on the data representations of a wire body for each of
the one or more selected edges, as required by claim 36. Accordingly, Applicant submits that
claim 36 is allowable over Klimko. Claims 15-16, 19-20 and 37 depend, either directly or
indirectly from claim 36, and are therefore allowable for at least the reasons set forth above.

Claims 21-30 and 38-39.

Claim 21 has been cancelled and replaced with new claim 38. Claim 26 has been
cancelled and replaced with new claim 39. Claims 22, 24-25 and 28-30 originally depended
from claim 21, and have been amended to depend from claim 38. Claim 39 depends from claim
38.

Claim 38 recites an apparatus including a storage medium having stored therein a
plurality of instructions. The instructions are designed to enable the apparatus to select one or
more edges of one or more components of an article of manufacture to be welded; generate a
data representation of a wire body for each of the one or more selected edges; and generate a data
representation of a final wire body based on the data representations of a wire body for each of
the one or more selected edges. The apparatus also includes a processor coupled to the storage
medium to execute the instructions.

The Examiner indicated that the original claim 21 was anticipated by Klimko. Applicant
respectfully disagrees. For the reasons set forth above with respect to claim 34, Applicant
submits that Klimko does not disclose or suggest generating a data representation of a wire body

for each of the one or more selected edges; or generating a data representation of a final wire body based on the data representations of a wire body for each of the one or more selected edges, as required by claim 38. Accordingly, Applicant submits that claim 38 is allowable over Klimko. Claims 22-25, 28-30 and 39 depend, either directly or indirectly, from claim 38, and are therefore allowable for at least the reasons set forth above.

Claims 31-33.

Claim 31 as amended recites an apparatus. The apparatus includes a storage medium having stored therein a plurality of instructions. The plurality of instructions are designed to enable the apparatus to select within the apparatus an edge of a weld bead which data representation is formed based on one or more data representations of one or more edges of one or more components of an article of manufacture to be welded using the weld bead at the one or more edges when manufacturing the article, retrieve from a source within the apparatus, one or more identifications identifying both the one or more edges of the one or more components and the one or more components, form a name attribute within the apparatus, based at least in part on the retrieved one or more identifications, and assign within the apparatus, the name attribute to the selected edge of the weld bead. The apparatus also includes one or more processors coupled to the storage medium to execute the instructions.

The Examiner indicated generally that the limitations of claim 31 are disclosed by Klimko. Applicant respectfully disagrees, for the reasons set forth above with respect to claim 11. Specifically, Applicant submits that Klimko does not disclose or suggest selection of an edge of a weld bead, as required by claim 31. Moreover, Klimko does not disclose or suggest either forming a naming attribute based on a retrieval of information about the on or more components or assigning the name attribute to a selected edge of a weld bead. Accordingly, Applicant submits that claim 31 is allowable over Klimko. Claims 32-33 depend, either directly or indirectly from claim 33, and are therefore allowable for at least the reasons claim 31 is allowable.

Applicant : Somashekar Ramachandran   Attorney's Docket No.: 15786-016001
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Filed : August 19, 2003
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Applicant does not believe any fee is due. Please apply any charges or credits to deposit

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Respectfully submitted,

Date: 3/16/05

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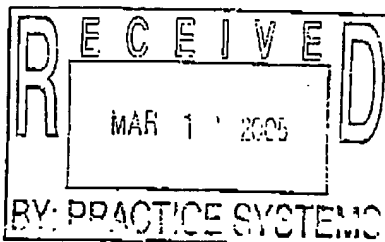P.O. Box 1450
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Notice of Non-Compliant Amendment (37 CFR 1.121)

The amendment document filed on _____ is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121. In order for the amendment document to be compliant, correction of the following item(s) is required. Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted. 37 CFR 1.121(h).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☐ 1. Amendments to the specification:
 ☐ A. Amended paragraph(s) do not include markings.
 ☐ B. New paragraph(s) should not be underlined.
 ☐ C. Other_____

☐ 2. Abstract:
 ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 ☐ B. Other_____

☐ 3. Amendments to the drawings: _____

☒ 4. Amendments to the claims:
 ☐ A. A complete listing of all of the claims is not present.
 ☐ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 ☒ E. Other Claim 23 has no markings to show changes being made.

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP Sec. 714 and the USPTO website at http://www.uspto.gov/web/offices/pac/dapp/opla/preopnotice/officeflyer.pdf.

If the non-compliant amendment is a PRELIMINARY AMENDMENT, applicant is given ONE MONTH from the mail date of this letter to supply the corrected section which complies with 37 CFR 1.121. Failure to comply with 37 CFR 1.121 will result in non-entry of the preliminary amendment and examination on the merits will commence without consideration of the proposed changes in the preliminary amendment(s). This notice is not an action under 35 U.S.C. 132, and this ONE MONTH time limit is not extendable.

If the non-compliant amendment is a reply to a NON-FINAL OFFICE ACTION (including a submission for an RCE), and since the amendment appears to be a bona fide attempt to be a reply (37 CFR 1.135(c)), applicant is given a TIME PERIOD of ONE MONTH from the mailing of this notice within which to re-submit the corrected section which complies with 37 CFR 1.121 in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD ARE AVAILABLE UNDER 37 CFR 1.136(a).

If the amendment is a reply to a FINAL REJECTION, this form may be an attachment to an Advisory Action. The period for response to a final rejection continues to run from the date set in the final rejection, and is not affected by the non-compliant status of the amendment.

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